HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 611 (S/S)06:

Smt. Rekha Pujari W/o Sri Dalbir Pujari,
R/o village Narainkoti, Patwari Circle Guptkashi,
District Rudraprayag. ----Petitioner.

Vs.

1. State of Uttaranchal through,
   Secretary Education Civil Secretariat,
   Uttaranchal, Dehradun,
2. District Education Officer,
   Rudraprayag. ------Respondents.

Sri R.P. Nautiyal, leaned counsel for the petitioner.
Learned counsel for the respondents.

Hon'ble B.S. Verma, J.

Heard Sri R.P. Nautiyal, learned counsel for the petitioner and learned Standing Counsel for State of Uttaranchal who has accepted notices for the respondents.

2. This writ petition has been filed by the petitioner with a prayer to issue a writ, order or direction in the nature of mandamus commanding the District Education Officer, Rudraprayag/respondent no. 2 to relieve the petitioner from the post of Head Mistress in Primary School, Nyalsu, District Rudraprayag to join her duties as Head Mistress in Primary School, Ukhimath, District Rudraprayag forthwith.

3. Counsel for the petitioner has submitted that on 16.11.2005 the Director, School Education, Uttaranchal, Dehradun has passed an order by which 8 Head Master/ Assistant Teacher were transferred in District Rudraprayag. The name of the petitioner finds place at serial no. 7 in the order

itself by which she was transferred from Primary School Nyalsu, district Rudraprayag to Primary School Ukhimath, Rudraprayag. It is stated that for relieving a person who has been transferred, the recommendation from the District Education Officer concerned is required. Consequently, the petitioner made applications to the District Education Officer, Rudraprayag, requesting him to relieve her from the present place of posting and to join her duties as Head Mistress in Primary School Ukhimath, Rudraprayag but she has yet not been relieved despite several applications made by her.

4. During the course of argument, learned counsel for the petitioner has confined his prayer that the competent authority may be directed to decide the representation of the petitioner dated 25.04.2006, which is annexed as annexure no. 2 to the writ petition, within a particular period prescribed by the Hon'ble Court.

5. The prayer is innocuous.

6. Accordingly, I direct the respondent no. 2 i.e. the District Education Officer, Rudraprayag to decide the representation of the petitioner moved by her on 25.04.2006 (annexure no. 2 to the writ petition) by a speaking order, within a period of two weeks from the date of production of a certified copy of this order.

7. With this direction, the writ petition is finally disposed of.

(B.S. Verma, J.)

May 5, 2006:
NCM: